

MEMORANDUM

RE: Ex Parte Communications in Connection with Docket No. EERE-2014-BT-CE-0019
Certification, Compliance, Labeling, and Enforcement for Electric Motors and Small
Electric Motors

To: expartecommunications@hq.doe.gov

From: Alex Boesenberg, Senior Manager of Regulatory Affairs
National Electrical Manufacturers Association

Date: October 4, 2017

This memorandum is in follow-up to our letter of August 18th 2017 and contains additional proposals and information.

1. In follow up to our previous comments on the use and certification of product via Alternative Efficiency Determination Method (AEDM), we offer the following proposed changes to the pre-publication standard regulatory wording:

PRE-PUBLICATION WORDING

429.63 Electric motors.

(a) Compliance Certification. A manufacturer may not certify the compliance of an electric motor pursuant to 10 CFR 429.12 unless:

- (1) Testing of the electric motor basic model was conducted using an accredited laboratory (see paragraph (d) of this section);
- (2) A third-party certification organization that is nationally recognized in the United States under § 429.73 has certified the efficiency of the electric motor basic model through issuance of a certificate of conformity for the basic model; or
- (3) The efficiency of the electric motor basic model was determined through the application of an AEDM pursuant to the requirements of §429.70 and a third-party certification program that is nationally recognized in the United States under §429.73 has certified the efficiency of the electric motor basic model through issuance of a certificate of conformity for the basic model.

PROPOSED CHANGES

429.63 Electric motors.

(a) Compliance Certification. A manufacturer may not certify the compliance of an electric motor pursuant to 10 CFR 429.12 unless:

- (1) Testing of the electric motor basic model was conducted using an accredited laboratory (see paragraph (d) of this section); or
- ~~(2) A third-party certification organization that is nationally recognized in the United States under § 429.73 has certified the efficiency of the electric motor basic model through issuance of a certificate of conformity for the basic model; or~~
- (2) The efficiency of the electric motor basic model was determined through the application of an AEDM pursuant to the requirements of §429.70 and the validation testing of the AEDM was conducted using an accredited laboratory and a third-party certification program that is nationally recognized in the United States under §429.73 has certified the efficiency of the electric motor basic model through issuance of a certificate of conformity for the basic model; or
- (3) A third-party certification organization that is nationally recognized in the United States under § 429.73 has certified the efficiency of the electric motor basic model through issuance of a certificate of conformity for the basic model; or

(4) The efficiency of the electric motor basic model was determined through the application of an AEDM validated by a third-party certification organization that is nationally recognized in the United States under § 429.73 through issuance of a certificate of conformity; or
(5) The efficiency of the electric motor basic model was determined through the IECEE GMEE (Global Motor Energy Efficiency) certificate.

We believe these changes improve the clarity of and conformance to the regulation, particularly in the case of those less familiar with the subject or whom did not participate in these recent communications between NEMA and DOE staff.

2. On the subject of determining/assigning basic models, NEMA appreciates the DOE's clarifications during our August 9, 2017 ex parte meeting and suggests the following edits to clause 429.12(b)(6) to clarify the regulatory text:

(6) For each brand, the basic model number and the manufacturer's individual model number(s) in that basic model with the following exceptions: For external power supplies that are certified based on design families, the design family model number and the individual manufacturer's model numbers covered by that design family must be submitted for each brand. For electric motors and small electric motors, the least efficient basic model number within each equipment class for each brand must be submitted. For distribution transformers, the basic model number or kVA grouping model number (depending on the certification method) for each brand must be submitted. For commercial HVAC, WH, and refrigeration equipment, an individual manufacturer model number may be identified as a "private model number" if it meets the requirements of § 429.7(b).

3. NEMA proposes to continue the Certification Compliance number system (CC number) and defer the consideration of a Manufacturer ID Number (MIN) or new CC numbers to a future rulemaking. NEMA and its members will continue to develop suggestions as to how to improve the manufacturer numbering process and implement it in a way that minimizes burden.
4. With respect to proposed requirements regarding efficiency testing to all voltages that might appear on a motor nameplate, NEMA will update NEMA Standard MG-1 with industry guidance to provide a public reference for this topic. NEMA has already initiated a change request to MG-1 via formal ballot. NEMA will inform DOE of the progress of this ballot and provide a copy of the resulting changes to MG-1 for further discussion.
5. In making proposals to the future rulemaking mentioned in item 3, NEMA intends to include suggestions as to how to implement nameplate-affecting changes so as to minimize burden.
6. NEMA and its members reiterate our recommendation that the annual reporting requirement be changed so that reporting takes place when the product is introduced in the market, when any change occurs to the product, or when the product is discontinued for sale.
7. We reiterate our position that DOE provide 12 months to implement the requirements of the CCE rule to mitigate/reduce burden on manufacturers. We refer to the current, near-complete rule, not the future rulemaking of item 3.

NEMA again thanks the DOE for this opportunity to help improve Regulations.

If you have any questions on these comments, please contact me at 703-841-3268 or alex.boesenberg@nema.org.

Sincerely,

A handwritten signature in blue ink that reads "Alex Boesenberg". The signature is written in a cursive, flowing style.

Alex Boesenberg
Senior Manager, Regulatory Affairs
National Electrical Manufacturers Association